

Appl. No.: 09/745,290
Filed: December 20, 2000
Amdt. dated 05/13/2005

REMARKS

This preliminary amendment is filed concurrently with a request for continued examination (RCE) of the above-identified application in response to the final Official Action mailed February 14, 2005. Initially, Applicants appreciate the Examiner taking the time to conduct a telephone interview with Applicants' undersigned attorney regarding the final Official Action. The final Official Action continues to reject Claims 1-11, 14-24 and 26-28, and rejects previously presented Claims 30-32, under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,457,030 to Adams et al.; and continues to reject Claims 12 and 13 under 35 U.S.C. § 103(a) as being unpatentable over the Adams patent. The final Official Action also continues to reject Claims 25 and 29 under 35 U.S.C. § 103(a) as being unpatentable over the Adams patent, in view of U.S. Patent No. 6,684,088 to Halahmi. Further, the final Official Action objects to dependent Claim 32, indicating that Claim 32 incorrectly depends from itself.

In response to the Official Action, Applicants have amended dependent Claim 32 to correctly depend from independent Claim 1. Applicants have also amended independent Claims 1 and 26-28 to further clarify various patentable features of the present invention, and amended dependent Claim 25 to correct an inadvertent inconsistency. In addition, Applicants have added new Claims 33-52 to claim further patentable aspects of the present invention. As explained below, Applicants respectfully submit that the claimed invention of the present application is patentably distinct from the Adams patent and the Halahmi patent, taken individually or in combination. In view of the amended claims, the added claims and the remarks presented herein, Applicants respectfully request reconsideration and allowance of all of the pending claims of the present application.

I. REQUEST FOR TELEPHONE INTERVIEW

Applicants' counsel again hereby requests a telephone interview after the Examiner has had an opportunity to review the remarks provided below. Such an interview would be brief and would focus only on the current rejections and cited references. Applicants' counsel, Andrew Spence, can be reached at 704-444-1411.

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II. THE CLAIMED INVENTION IS PATENTABLE OVER ADAMS AND HALAHMI

As previously explained, and explained during the telephone interview with the Examiner, the Adams patent discloses a system for modifying web content for display via pervasive computing devices. As disclosed, HTML files are associated with content modification files specifying how those HTML files should be modified for display by pervasive computing devices. In this regard, the content modification file associated with an HTML file can be identified from a link to the content modification file within the HTML file. Alternatively, the content modification file associated with an HTML file can be identified by computing a hash value using content within the HTML file, the content modification file being associated with the computed hash value. In operation, then, the system receives a request for an HTML file from a pervasive computing device. The system identifies the content modification file associated with the requested HTML file, and modifies elements of the requested HTML file based upon the associated content modification file. The modified HTML file is then displayed by the pervasive computing device.

Amended independent Claim 1 of the present application recites a method that includes receiving a request for a digital document from a device over a communication channel. Portions of the text of an original version of the digital document are altered to produce a revised version of the digital document in which the text is shorter than the text of the original document. In this regard, portions of the text are altered based on a set of one or more preferences, where the set of preference(s) is associated with the device and is without (independent of) an association with the digital document. After altering portions of the text to produce the revised version of the digital document, the revised version is transmitted over the communication channel in response to the request.

In contrast to the method of independent Claim 1, the Adams patent does not teach or suggest altering portions of the text of an original version of a digital document based on a set of preferences that is associated with the device, and is without (independent of) an association with the digital document. The Adams patent does disclose altering an HTML file based upon a configuration file. Presume for the sake of comparison (although expressly not admitted) that the disclosed HTML file corresponds to the claimed digital document, and that the disclosed

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configuration file corresponds to the claimed set of preferences. In such an instance, as explained during the telephone interview, the Adams system alters an HTML file (digital document) based on a configuration file (set of preference(s)) associated, not with the device as recited in independent Claim 1, but with the HTML file (digital document) itself. Thus, the configuration file disclosed by the Adams patent is associated with the digital document, and is without an association with the device. By comparison, the set of preferences of the claimed invention is associated with the device, and is without an association with the digital document.

As explained during the telephone interview, by associating the set of preferences with the device as opposed to the digital document, as disclosed by the Adams patent, the claimed invention is capable of altering any digital document or file requested by the device, irrespective of the particular digital document or file. By contrast, the Adams system only alters those digital documents having associated configuration files. Thus, presume that a server maintains two HTML files, namely a first HTML file having an associated configuration file and a second HTML file without an associated configuration file. Also, presume that a particular device requests both files. In such an instance, the claimed invention alters both HTML files based upon a set of preferences associated with the device. Similarly, the Adams system alters the first HTML file based upon its associated configuration file. Unlike the claimed invention, however, the Adams system does not alter the second HTML as it does not have an associated configuration file.

Applicants note that, during the telephone interview, the Examiner referred to column 8, lines 52-62 of the Adams patent as relating to user-assigned parameters. As disclosed by the referenced portion of the Adams patent, a content modification file can specify, for a given element of content, a number of alternative elements that differ from the given element by one or more quantitative (value) parameters (e.g., HEIGHT, WIDTH, COLOR and BYTES). In addition, the Adams patent indicates that the content modification file can include a number of alternative elements that differ from the given element by a user-assigned parameter. As an example, the Adams patent provides the qualitative parameter FIDELITY related to the qualitative level of detail of the given element, where the qualitative level is evaluated to assign a

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relative quantitative value. Thus, a summarized paragraph is assigned a lower value than a full-length paragraph.

Applicants therefore respectfully submit that, even if alternative elements differ by a user-assigned parameter, that parameter is still included within a configuration file associated with the HTML file including the given element (*see* Adams Patent, FIG. 4b). Thus, even a configuration file including a user-assigned parameter is associated with an HTML file, and is without an association to a device. As best understood, Applicants respectfully submit that a user-assigned parameter is not a parameter assigned by a user of the device requesting the respective HTML file. Instead, a user-assigned parameter is a parameter that must be evaluated in order to assign relative quantitative values. In this regard, physical parameters such as HEIGHT, WIDTH, COLOR and BYTES are defined by quantitative values. User-assigned parameters such as FIDELITY, on the other hand, are defined by a qualitative evaluation, from which quantitative values are assigned to represent the qualitative differences. Accordingly, even considering that the content modification file may include a user-assigned parameter, the Adams patent still does not teach or suggest the claimed invention of amended independent Claim 1.

Applicants also again note that the Adams patent does disclose modifying HTML files based on a user's preferences. Adams Patent, column 4, lines 7-11. As an example of such a feature, the Adams patent explains that if a user is blind, text elements of a requested HTML file can be transcoded into audio files. Even in this instance, however, the Adams patent does not indicate that such modifications are accomplished in any manner other than via an appropriate content modification file. In this regard, Applicants respectfully submit that, as best understood, the user preferences disclosed by the Adams patent are treated in the same manner as client-specific alternatives. In accordance with the Adams patent, however, the user-preference or client-specific alternatives are specified in a respective content modification file. *See* Adams Patent, FIG. 4c; and column 9, lines 16-34. Thus, in all instances of modifying an HTML file disclosed by the Adams patent, the modifications are made based upon a configuration file associated with the HTML file, and without an association with a device. In contrast, the claimed invention of amended independent Claim 1 recites that alterations are made based upon

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a set of preference(s) associated with a device, and without (independent of) an association with the digital document.

Applicants therefore respectfully submit that the method of amended independent Claim 1, and by dependency Claims 2-25 and 29, is patentably distinct from the system and method disclosed by the Adams patent. Applicants also respectfully submit that the methods of amended independent Claims 26, 27 and 28, as well as the system and method of new independent Claims 33 and 43, recite subject matter similar to that of independent Claim 1. In this regard, independent Claims 26-28, 33 and 43 recite a set of preference(s) associated with a device and without (independent of) an association with a digital document or web page. Thus, Applicants respectfully submit that amended independent Claims 26, 27 and 28, as well as new independent Claims 33 and 43, are patentably distinct from the Adams patent for at least the same reasons given above with respect to independent Claim 1. As such, Applicants also respectfully submit that the rejection of Claims 1-11, 14-24 and 26-28 under 35 U.S.C. § 102(e) as being anticipated by the Adams patent, and the rejection of Claims 12 and 13 under 35 U.S.C. § 103(a) as being unpatentable over the Adams patent, is overcome.

The final Official Action also rejects dependent Claims 25 and 29 as being unpatentable over the Adams patent, in view of the Halahmi patent. As explained above, the Adams patent does not teach or suggest altering a digital document based upon a set of preference(s) associated with a device, and independent of an association with the digital document, as recited by amended independent Claim 1, and by dependency Claims 25 and 29. Likewise, Applicants respectfully submit that the Halahmi patent does not teach or suggest altering a digital document based upon a set of preference(s) associated with a device, and independent of an association with the digital document. The Halahmi patent discloses a system and method for displaying email messages on a low bandwidth device by converting the messages into a standard file format, and passing the converted messages to an email portion server that is specific for a particular type of wireless communication device. The email portion server then formats the converted message into a specific format for transmission to the respective type of wireless communication device. The Halahmi patent therefore discloses an email portion server that is configured to alter email messages based upon a particular type of device, instead of altering

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email messages based upon a set of preference(s) associated with the device, and independent of an association with the document (e.g., email message), as recited by the claimed invention.

As neither the Adams patent nor the Halahmi patent individually teach or suggest this feature of the claimed invention, the combination of the Adams patent and the Halahmi patent also does not teach or suggest this feature. Thus, Applicants respectfully submit that dependent Claims 25 and 29 are patentably distinct from the Adams patent and the Halahmi patent, taken individually or in combination, for at least the same reasons given above with respect to amended independent Claim 1. And as such, Applicants also respectfully submit that the rejection of Claims 25 and 29 under 35 U.S.C. § 103(a) as being unpatentable over the Adams patent, in view of the Halahmi patent, is overcome.

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CONCLUSION

In view of the amended claims, the new claims and the remarks presented above, it is respectfully submitted that all of the claims are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested in due course. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,




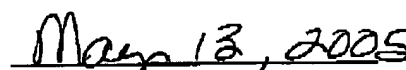
Andrew T. Spence
Registration No. 45,699

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

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